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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,511	10/06/2000	Raymond Andersen	108281-00000	6795
4372	7590	10/21/2008		
ARENT FOX LLP 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036			EXAMINER LUKTON, DAVID	
			ART UNIT 1654	PAPER NUMBER
			NOTIFICATION DATE 10/21/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DCIPDocket@arentfox.com  
IPMatters@arentfox.com  
Patent\_Mail@arentfox.com



Pursuant to the directives of the amendment filed 7/21/08, claim 74 has been amended and claims 79-81 added. Claims 23-25, 27, 29, 31-66, 68-81 remain pending. Claims 24, 27, 29, 34, 36, 59, 60, 62 remain withdrawn from consideration.

The possibility of rejoining claim 34 will be considered if applicants explain what the purpose of the “beta” is in reference R<sub>3</sub> and R<sub>4</sub>. (This qualifier appears to be superfluous). And, as indicated in the previous Office action, the possibility of rejoining claim 36 will be considered if applicants will explain how it is possible that upon joining R<sub>1</sub> and R<sub>2</sub> (together with the nitrogen atom to which they are bonded), it is possible to form a cyclopropyl, cyclobutyl (etc.) group. But beyond this, what is required in response to this Office action is **cancellation of the non-elected claims**.

Applicants’ arguments filed 7/21/08 have been considered and found persuasive. Claims 23, 25, 31-33, 35, 37-58, 61, 63-66, 68-73, 75-81 are now characterized as allowable.

. . . . .

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle* [1935 C.D. 11, 453 O.G. 213].

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

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Art Unit: 1654

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lukton whose telephone number is 571-272-0952. The examiner can normally be reached Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang, can be reached at (571)272-0562. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.

/David Lukton/

Primary Examiner, Art Unit 1654